Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARINGS-- November 16, 1966 and
January 18, 1967

Appeal No. 9032   Jack and Harold Pollin, appellants.

The Zoning Administrator of the District of Columbia, appellee.

        On motion duly made, seconded and unanimously carried,
the following Order was entered at the meeting of the Board on
November 29, 1966 and January 27, 1967.

                        EFFECTIVE DATE OF ORDER - Feb. 10, 1967

ORDERED:

        That the appeal for permission to establish a parking lot
for a period of two years at 460 Massachusetts Avenue, NW., lots
31-34,43-45,841-846,847-851 inclusive, 866,867,872 and 873,
square 517, be granted conditionally.

FINDINGS OF FACT:

        (1) The subject property is located in an SP District.

        (2) Appellants desire to use the property as an interim
parking lot which awaiting erection of an SP office building on
the site.

        (3) In BZA Appeal Nos. 5154 and 6959, the Board granted
permission for a parking lot on some of the lots included within
the property which is the subject of this appeal.

        (4) The proposed parking lot will provide 132 parking
spaces and will have no entrance from either Massachusetts Avenue
or 5th Street, NW.

        (5) Abutting property owners received no notice of the
subject appeal and the Board deferred action on this matter
until such time as the adjacent property owners were able to
express their views concerning the parking lot.

(6)   The Department of Highways and Traffic offers no objection to the granting of this appeal stating that "Because access to this proposed parking lot will be provided by existing alleys and no additional driveways are planned, there should be no disruption to traffic.

"It should be pointed out however, that unless a parking lot attendant is furnished several vehicles will be completely blocked in if the parking lot plan as submitted is followed."

(7)   No opposition to the granting of this appeal was registered at the public hearing.

OPINION:

We are of the opinion that the establishment of this parking lot will not create any dangerous or otherwise objectionable traffic conditions, that the present character and future development of the neighborhood will not be adversely affected, and that the lot is reasonably necessary and convenient to other uses in the vicinity. However, the certificate of occupancy shall not issue until the conditions hereafter set forth in this Order are complied with.

This Order shall be subject to the following conditions:

(a)   A Cypress stockade type fence shall be erected all of the lot to include abutting property.

(b)   No new curb cuts shall be made along Massachusetts Avenue.

(c)   An attendant shall be provided for the parking lot.

(d)   Bumper stops shall be erected to protect the fence and abutting property except along the public alley.

(e)   Permit shall issue for a period of 2 years, but shall be subject to renewal in the discretion of the Board upon the filing of a new appeal in the manner prescribed by the Zoning Regulations.

(f)   All areas devoted to driveways, access lanes and parking areas shall be maintained with a paving of material forming an all-weather impervious surface.

(g)   No vehicle or any part thereof shall be permitted to project over any lot or building line or on or over the public space.

(h)   All parts of the lot shall be kept free of refuse or debris and shall be paved or landscaped. Landscaping shall be maintained in a healthy growing condition and in a neat and orderly appearance.

(i)   No other use shall be conducted from or upon the premises and no structure other than an attendant's shelter shall be erected or used upon the premises unless such use or structures are otherwise permitted in the zoning district in which the parking lot is located.

(j)   Any lighting used to illuminate the parking lot or its accessory building shall be so arranged that all direct rays of such lighting are confined to the surface of the parking lot.

The Board reserves the right to direct revocation of the occupancy permit upon a proper showing that any terms or conditions of this Order have been violated.